

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18717 of 2015

Arising Out of PS.Case No. -636 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Hariom Kumar. Son of Shambhu Singh.
 2. Sanjeev Kumar. Son of Jitendra Singh.
- Both residents of village - Ajarimath, P.S.- Banjariya, District - East
Champaran, Motihari.

..... Petitioner/s
Versus
The State of Bihar.

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 25-06-2015 Heard learned counsels for the petitioners
and the State.

The petitioners are languishing in custody
since 23.09.2014 in a case registered for the offences punishable
under Sections 413, 414/34 and 120B of the Indian Penal Code.

The prosecution case is that four accused
persons including the petitioners were apprehended with a stolen
motorcycle. They confessed that the motorcycle was stolen from
the premises of Sadar Hospital, Motihari.

It is submitted by learned counsel for the
petitioners that the recovery cannot be treated from exclusive

possession of the petitioners and the petitioner no. 2 has been remanded in several cases after being arrested in the present case as in none of these cases petitioner was named and petitioner no. 1 has no criminal antecedent.

Considering the fact that investigation has already concluded, let the above named petitioners, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikrahana, East Champaran at Motihari in connection with Motihari Town P.S. Case No. 636 of 2014.

Considering the serious criminal antecedent of no. 2, the learned court below will be at liberty to cancel the bail bonds of petitioner no. 2, if he defaults for two consecutive occasions.

(Dinesh Kumar Singh, J)

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